REMARKS

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed September 28, 2005. Claims 1-27 are rejected.

In this Amendment, claims 1-3, 6-7, 10-12, 15-16, 18-21, 24 and 25 have been amended. It is respectfully submitted that the amendment does not add new matter.

Applicants reserve all rights with respect to the applicability of the doctrine of equivalents.

Objection to the Specification

The Office Action requested that applicants fill out the co-pending patent application's application number, title, and filing date. Applicants have accordingly amended the specification to overcome the objection.

The Office Action requested that Applicants amend the heading "FIELD" to read "Field of the Invention". Applicants have accordingly amended the specification to overcome the objection.

Double Patenting

Claims 1 and 6-8 are provisionally rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-2, and 9-11 of co-pending Application No. 1/607,770.

Applicants plan to file a terminal disclaimer at a later time, if necessary.

Claim Rejections under 35 U.S.C. §112

The Examiner has rejected claims 1-7, 10-16 and 19-25 under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have amended claims 3, 12, and 21 to overcome the rejection that the limitation "the data pertaining to the physical data storage parcels" has insufficient antecedent basis. Applicants have amended claims 3, 12, and 21 to overcome the rejection that the term "the list" has insufficient antecedent basis. Applicants have amended claims 1, 2, 6, 7, 10, 11, 15, 16, 19, 20, 24, and 25 to amend the limitation "physical logical data block" to read "data block in the physical data storage parcels."

Claim Rejections under 35 U.S.C. §102(e)

The Examiner has rejected claims 1-3, 10-12, 19-21 under 35 U.S.C. §102(e) as being anticipated by Jacobson, et al. (USPN 2004/0068636, "Jacobson") which incorporates Jacobson, et al. (USPN 5,392,244, "Jacobson 2").

In amended independent claims 1, 10 and 19, applicants claim mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, such that the second size is smaller than the first size.

In contrast, as acknowledged by the Examiner, Jacobson discloses that both the virtual storage location and the physical storage locations include 512 blocks individually comprising 512 bytes of data. (Jacobson, p. 3, ¶31; Office Action dated 09/28/05, p. 4, ¶13). Jacobson does not teach or suggest mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, wherein the second size is smaller than the first size, as claimed.

Because Jacobson does not teach or suggest each and every limitation of independent claims 1, 10 and 19, applicants respectfully submit that independent claims 1, 10 and 19 and associated dependent claims are not anticipated by Jacobson.

Claim Rejections under 35 U.S.C. §103(a)

Claims 6-7, 15-16 and 24-25

The Examiner has rejected claims 6-7, 15-16 and 24-25 under 35 U.S.C. §103(a) as being unpatentable over Jacobson in view of alleged knowledge in the art.

As discussed above, Jacobson does not teach or suggest mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, wherein the second size is smaller than the first size, as claimed in independent claims 1, 10 and 19. Because Jacobson does not teach or suggest each and every limitation of independent claims 1, 10 and 19, applicants respectfully submit that claims 6-7, 15-16 and 24-25 are not obvious over Jacobson.

Claims 4, 13 and 22

The Examiner has rejected claims 4, 13 and 22 under 35 U.S.C. §103(a) as being unpatentable over Peterson, et al. (USPN 5,911,150, "Peterson").

As discussed above, Jacobson does not teach or suggest mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, wherein the second size is smaller than the first size, as claimed in independent claims 1, 10 and 19. Applicants respectfully submit that Peterson does not supply the missing limitations.

Peterson discloses a tape backup system, in which a single tape driver interface unit

has a controller for controlling access to an array of tape drive units and tapes. (Peterson, Abstract). Peterson is silent about, and therefore, does not teach or suggest mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, wherein the second size is smaller than the first size, as claimed in independent claims 1, 10 and 19.

As Jacobson and Peterson, either individually or in combination, do not teach or suggest each and every limitation of independent claims 1, 10 and 19, applicants respectfully submit that independent claims 1, 10 and 19 and associated dependent claims are not obvious over the combination.

Claims 5, 14 and 23

The Examiner has rejected claims 5, 14 and 23 under 35 U.S.C. §103(a) as being unpatentable over Jacobson and Peterson and further in view of Itoh, et al. (USPN 5,966,720, "Itoh").

As discussed above, Jacobson does not teach or suggest mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, wherein the second size is smaller than the first size, as claimed in independent claims 1, 10 and 19. Applicants respectfully submit that Peterson does not supply the missing limitations.

Itoh discloses a flash memory control apparatus to enable updating of data at high speed. (Itoh, Abstract). Itoh is silent about, and therefore, does not teach or suggest mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, wherein the second size is smaller than the first size, as claimed in independent claims 1, 10 and 19.

As Jacobson and Itoh, either individually or in combination, do not teach or suggest each and every limitation of independent claims 1, 10 and 19, applicants respectfully submit that independent claims 1, 10 and 19 and associated dependent claims are not obvious over the combination.

Claims 8, 17, 26

The Examiner has rejected claims 8, 17, 26 under 35 U.S.C. §103(a) as being unpatentable over Jacobson and Cleveland, et al. (USPN 5,325,370, "Cleveland").

As discussed above, Jacobson does not teach or suggest mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, wherein the second size is smaller than the first size, as claimed in independent claims 1, 10 and 19. Applicants respectfully submit that Peterson does not supply the missing limitations.

Cleveland discloses that control software and hardware in a tape drive control unit creates and manages a header segment at the beginning of the magnetic tape. (Cleveland, Abstract). Cleveland is silent about, and therefore, does not teach or suggest mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, wherein the second size is smaller than the first size, as claimed in independent claims 1, 10 and 19.

As Jacobson and Cleveland, either individually or in combination, do not teach or suggest each and every limitation of independent claims 1, 10 and 19, applicants respectfully submit that independent claims 1, 10 and 19 and associated dependent claims are not obvious over the combination.

<u>Claims 9, 18 and 27</u>

The Examiner has rejected claims 9, 18 and 27 under 35 U.S.C. §103(a) as being unpatentable over Jacobson and Hill (USPN 5,345,584, "Hill").

As discussed above, Jacobson does not teach or suggest mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, wherein the second size is smaller than the first size, as claimed in independent claims 1, 10 and 19. Applicants respectfully submit that Peterson does not supply the missing limitations.

Hill discloses managing allocation of data sets among several storage devices. (Hill, Abstract). Hill is silent about, and therefore, does not teach or suggest mapping virtual logical data blocks of a first size to data storage blocks having a second size in one or more physical data storage parcels, wherein the second size is smaller than the first size, as claimed in independent claims 1, 10 and 19.
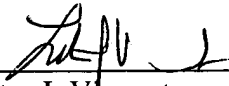
As Jacobson and Hill, either individually or in combination, do not teach or suggest each and every limitation of independent claims 1, 10 and 19, applicants respectfully submit that independent claims 1, 10 and 19 and associated dependent claims are not obvious over the combination.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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